

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2001:

Present

Vote

James S. Burgett, Chairman
Donald E. Wiggins, Vice Chairman
Walter C. Zaremba
Sheila S. Noll
H. R. Ashe

On motion of _____, which carried ____, the following ordinance was adopted:

AN ORDINANCE TO AMEND SECTION 20.5-75, DRAINAGE, YORK COUNTY CODE, REGARDING THE CALCULATION OF PRO RATA COSTS OF REGIONAL STORM WATER MANAGEMENT FACILITIES

BE IT ORDAINED by the York County Board of Supervisors this ____ day of ____, 2001, that section 20.5-75, York County Code, be and it is hereby amended as follows:

Sec. 20.5-75. Drainage.

* * *

- (b) *Off-site drainage costs.* The subdivider shall be required to pay a pro rata share of the cost of providing reasonable and necessary drainage improvements located outside of the property limits of land owned or controlled by him whenever all of the following conditions exist:
- (1) The county determines that such off-site improvements are necessitated at least in part by the construction or improvement of the subdivision.
 - (2) The county or other appropriate authority has established a general drainage improvement program for an area having related and common drainage conditions.
 - (3) The subdivider's property is located within said designated area covered by such program.

- (4) The estimated cost of the total drainage improvement program has been determined.
- (5) The estimated storm water runoff has been established for the designated area served by such program.

The subdivider's share of the above-estimated cost of improvements shall be limited to the amount necessary to protect water quality based upon the pollutant loading caused by the subdivision or development or the proportion of such estimated cost which the volume and velocity of storm water runoff to be caused by his subdivision bears to the total estimated volume and velocity of runoff from such area in its fully developed state. In calculating the pollutant loading caused by the subdivision or development or volume and velocity of storm water runoff, the county shall take into account the effect of all on-site storm water facilities or best management practices constructed or required to be constructed by the subdivider or developer and give appropriate credit therefor.

Any cash payment received by the county shall be expended only for construction of those facilities identified in the established drainage facilities improvement program and until so expended, shall be held in a separate account for the individual improvement program.